

# COMMONWEALTH OF VIRGINIA

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SENATOR MAMIE LOCKE, Vice-chair  
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## VIRGINIA HOUSING COMMISSION

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### SUMMARY

#### **Neighborhood Transitions and Residential Land Use Workgroup Wednesday, July 12, 2017, 10:00 AM Senate Room1, The Capitol**

**I. Senator Mamie Locke**, *Chair* welcomed the members and speakers and meeting was called to order.

**Work Group members in attendance:** Senator Mamie E. Locke, *Chair*; Senator George Barker; Delegate David Bulova; Delegate Betsy Carr; Mark K. Flynn, *Governor Appointee*; Laura D. Lafayette, *Governor Appointee*; Lawrence Pearson, *Governor Appointee*; Neil J. Barber, *Community Futures*; Brian Buniva, *Environmental Health & Safety*; *Sequa Corporation*; Andrew Clark, *Home Builders Association of Virginia*; Ron Clements, *Virginia Building and Code Officials Association*; Tyler Craddock, *Virginia Association of Housing & Community Development Officials*; Cindy Davis, *Building Codes/Dept. of Housing & Community Development*; Chip Dicks, *Virginia Association of Realtors*; Chris Freund, *Family Foundation of Virginia*; Brian Gordon, *Apartment & Office Building Association of Metropolitan Washington*; Michelle Gowdy, *Virginia Municipal League*; Kelly Harris-Braxton, *Virginia First Cities*; Joe Lerch, *Virginia Association of Counties*; Art Lipscomb, *Independent Firefighters*; Barry Merchant, *Virginia Housing Development Authority*; Katherine Payne, *Williams Mullen*; A. Vaughan Poller, *Hampton Roads Housing Commission*; Earl Reynolds, *City of Danville, Community Development Director*; Ed Rhodes, *IAAI/VFPA*; Neal Rogers, *Virginia Housing Development Authority*; Lauren Schmitt, *Virginia Housing Alliance*; William Walton, *Real Property, Inc.*; Jerry M. Wright, *Central Virginia Chapter - Community Association Institute*.

#### **II. Police service; civil penalty when excessive number of calls from same property. (HB 1934 B. Carr, 2017; SB 1183 R. Dance, 2017)**

##### **Issue:**

Presented by Delegate Betsy Carr: - There are hotels and motels in the Richmond area that harbor individuals who are prostitutes, drug dealers and they cause a blight on the neighborhood. The bill from the 2017 legislative session was an attempt to curb this problem. It did not pass and was sent to the Housing Commission to find a more creative solution to solve this issue.

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DELEGATE DANNY W. MARSHALL  
DELEGATE DAVID L. BULOVA  
DELEGATE BETSY CARR  
DELEGATE BARRY D. KNIGHT  
DELEGATE CHRISTOPHER K. PEACE

SENATOR MAMIE E. LOCKE  
SENATOR GEORGE L. BARKER  
SENATOR WILLIAM M. STANLEY, JR.

MARK K. FLYNN  
LAURA D. LAFAYETTE  
LAWRENCE PEARSON

**Chief Alfred Durham, Richmond Police Department:** He spoke about the cycle of drug abuse and prostitution --One hundred percent of prostitutes in the motels along the Jefferson Davis Corridor are drug addicted. There are not families, or business people staying in these motels. The area residents are upset by the spillover of crime and the police spend an inordinate amount of their time answering phone calls for disruptions at these motels and it means police are not as readily available to answer other calls where they are needed elsewhere.

**Senator Roselyn Dance** spoke about how she walked along the corridor and witnessed first-hand drug deals and criminal activity and she wants a solution to this problem.

A woman who was a former prostitute in a motel in Richmond, who is now sober, spoke to the group about how drug addiction kept her working in the motel and she would like to see the drug dealing and prostitution eradicated to help other women who are in the cycle that she was in when she was addicted.

**Helen Hardiman, Housing Opportunities Made Equal** spoke about the possible fair housing implications and said that the HUD Guidance, September 2016, discourages use of nuisance ordinances, warning they could violate FH laws in a number of ways including having *a disparate impact on a protected class*. She said " Defendants must show the challenged practice is necessary to achieve one or more substantial, legitimate, nondiscriminatory interests."

Hardiman presented several case studies showing that women and women who are domestic violence victims are discriminated against if they are penalized for calling the police. *Briggs v. Norristown, PA, Markham v. City of Surprise AZ, Grape v. East Rochester, Metropolitan St. Louis Equal Housing and Opportunity Council V. City of Maplewood, Missouri*

**Susheela Varkey, Virginia Poverty Law Center** concurred with Ms. Hardiman.

**Joe Lerch, representing both VACO & VML (counties and cities)** would like to find a solution for the issue and would like to work toward another solution besides the penalizing for excessive phone calls.

**Solution:**

Chip Dicks will craft legislation and send to all interested parties for their input before the workgroup meets again.

**Issue:**

Smoke detectors and carbon monoxide alarms; code conflicts

**Chip Dicks, Virginia Association of Realtors** spoke about how different localities have different requirements concerning carbon monoxide detectors and smoke detectors. (now detectors are called alarms)

**Dusty Williams, with the company *Smoke Detector Man*** spoke about his business, putting in smoke and co alarms, and how in the Tidewater area two localities next to each other have varying requirements for alarms. This causes great confusion.

**Cindy Davis, Director, State Building Code Office** said that the Building Code currently doesn't mandate all localities to have alarms unless the properties are being substantially renovated or built now.

**Joe Lerch; VACO & VML** (*representing counties and cities*), **Ron Clement; Chesterfield Building Inspection Department**, **Ed Rhodes; Virginia Association of Arson Investigators**, *each* agreed that a statewide system would be most effective for preventing fire and carbon monoxide poisonings.

**Solution:**

**Chip Dicks** will craft legislation and send to all interested parties for their input before the workgroup meets again. Please contact Elizabeth Palen to be added to the discussion group.

There was no public comment and the meeting adjourned at 12:20 PM